

THE GAMING (AMENDMENT) ACT 1984

THE CONTROLLED MACHINES REGULATIONS 1985

In exercise of the powers conferred upon the Isle of Man Gaming Board of Control by sections 1(2) and (5), 6 and 11 of the Gaming (Amendment) Act 1984(a) and paragraph 14 of Schedule 1, paragraph 7 of Schedule 2 and paragraph 6 of Schedule 4 to that Act, and of all other enabling powers, the following Regulations are hereby made:-

Citation and Commencement

1. These Regulations may be cited as the Controlled Machines Regulations 1985, and subject to section 16 of the Act, shall come into operation on the 1st February, 1985.

Interpretation

2. (1) In these Regulations "the Act" means the Gaming (Amendment) Act 1984.
(2) References in these Regulations to a numbered form are to the forms so numbered in Schedule 1.

Prohibited Machines: prescribed amounts etc.

3. (1) The amounts prescribed for the purposes of section 1(4) of the Act shall be as follows:-
 - (a) for the purpose of section 1(4) (a) (maximum charge for play)
.. .. . 10p.
 - (b) for the purpose of section 1(4) (c) (maximum prize)
.. .. . £3.00.
- (2) The percentage prescribed for the purpose of section 1(4) (d) (minimum prize payment) shall be 75 per cent.

Certification of premises: forms

4. (1) An application for a certificate, or amendment of a certificate, under section 3 of the Act shall be in form 1.

(2) A notice under paragraph 3(1) of Schedule 1 to the Act (including that paragraph as it has effect by virtue of regulation 5) shall be in form 2.

Amendment of certificate under section 3

5. The provision of paragraphs 1 to 6 of Schedule 1 shall apply to an application under paragraph 8(4) of Schedule 1 to the Act (amendment of certificate) subject to the modifications and exceptions specified in Schedule 2.

Prescribed description of machines

6. The following descriptions of machines are prescribed for the purposes of paragraphs 1(2)(g) and 6(e) of Schedule 1, namely:-

- (a) prize machines;
- (b) amusement only machines, that is, controlled machines other than prize machines.

Particulars of machines

7. The particulars of a controlled machine to be furnished under paragraph 1(a) or (b) of Schedule 2 to the Act shall be as follows:-

- (a) the name or address of the manufacturers;
- (b) the model name or number or description;
- (c) the manufacturers serial number;
- (d) the charge for playing a game once on the machine
- (e) the maximum prize in respect of any one game played by means of the machine;
- (f) the percentage pay out of prizes, that is, the percentage of the aggregate value of the charges for play inserted in the machine which the machine is designed to pay out as a prize, verified (except where the Board otherwise determines) by production of the manufacturers specification;
- (g) the serial number of any temporary certificate of registration in force in relation to the machine under Regulation 9.

Conditions for registration

8. The conditions with which a controlled machine must comply in order to be registered are as follows:-

- (a) every controlled machine must be fitted with a coin-in meter, except where the Board otherwise determines, and every such meter shall comply with the following requirements:
 - (i) it shall comprise a digital counter operated by the insertion of a coin in the machine, such that the counter is advanced by one for every play made;
 - (ii) it shall be maintained in working order; and
- (b) the percentage payout of prizes (as notified under paragraph 1(a) or (b) of Schedule 2 to the Act) shall be displayed on the machine.

Procedure for temporary registration

9. (1) The responsible person in relation to any premises (within the meaning of paragraph 9 of Schedule 2 to the Act) may, between the hours of 9.00 p.m. and 11.00 p.m. on any day except Christmas Day, when the office of the Board is not open to the public, notify the prescribed particulars of a controlled machine to an authorised officer at the Casino.

(2) Where an authorised officer is notified of the prescribed particulars of a controlled machine under paragraph (1), he may issue to the responsible person a temporary certificate of registration in relation to the machine.

(3) Where a temporary certificate of registration is issued under paragraph (2), the machine in question shall, subject to paragraph (4), be deemed to be registered under paragraph 2 of Schedule 2 to the Act until the expiry of 3 working days after the day on which the certificate is issued.

(4) It shall be a condition of a machine being deemed to be registered under paragraph (3) that the temporary certificate of registration shall be exhibited with the certificate issued under paragraph 4(1) of Schedule 2 to the Act at all times when the latter is by the said paragraph 4(1), required to be exhibited on the premises.

MADE this 24th day of December 1984



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B. Q. Hansen.....
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Members
of
the
Board

Secretary

Approved by Tynwald on 15th January 1985

Explanatory Note

(This note is not part of the Regs.)

These Regulations make provision for the grant of certificates under section 3 of the G(A) Act 1984 for premises at which 'controlled machines' as defined in the Act are kept for use, and for the registration of such machines.

GAMING (AMENDMENT) ACT 1984

CONTROLLED MACHINES - APPLICATION FOR A CERTIFICATE IN RESPECT OF PREMISES

- 1. TYPE OF CERTIFICATE REQUIRED:- (Delete whichever does not apply)
 - (a) Full certificate
 - (b) Restricted certificate
 - (c) Club certificate

- 2. FULL NAME OF APPLICANT AND ADDRESS
(If a company, address of registered office)

.....

- 3. ADDRESS FOR WHICH CERTIFICATE IS SOUGHT

.....

- 4. If the particulars required at 5 and 6 below have been previously supplied to the Board at the time of a previous application for the same premises, it will be sufficient, if there is no change, to declare "No change in particulars", or if not a company to declare "Not applicable".

.....

- 5. FULL NAMES AND ADDRESSES OF ANY APPLICANT'S DIRECTORS AND SECRETARY (COMPANIES ONLY).

.....

- 6. FULL NAMES AND ADDRESSES OF THE BENEFICIAL OWNERS OF APPLICANT (COMPANIES ONLY).

.....

7. NAME AND ADDRESS OF PERSON HAVING INTENDED TO HAVE ACTUAL CHARGE OF THE PREMISES.
.....
.....

8. STATE WHETHER A PREVIOUS APPLICATION FOR A CERTIFICATE HAS BEEN REFUSED.
Yes/No

9. IF YES, DETAILS TO BE SUBMITTED SEPARATELY.

10. TOTAL NUMBER OF CONTROLLED MACHINES APPLIED FOR.
Number of Prize Machines: Number of Amusement Only Machines:

11. PERIOD AND TIMES DURING WHICH IT IS INTENDED THAT THE PREMISES SHALL BE OPEN FOR THE USE OF CONTROLLED MACHINES THEREON.
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12. RESTRICTIONS ON ACCESS TO PARTS OF THE PREMISES OR TO CONTROLLED MACHINES THEREON WHICH SHALL BE IMPOSED.
.....
.....

This application form to be submitted to the Secretary, Isle of Man Gaming Board of Control, Government Offices, Douglas before the 1st of April 1985.

Dated:
Signature:

Status of signatory (Director, Secretary etc.) if signed on behalf of a company.

(.....)

GAMING (AMENDMENT) ACT 1984

CONTROLLED MACHINES REGULATIONS 1985

NOTICE OF APPLICATION FOR CERTIFICATE TO KEEP CONTROLLED MACHINES

I/We.....
of.....

hereby give notice that I/we have made application to the Isle of Man Gaming Board of Control for a full certificate Under section 3 of the above Act for authorising me/us to keep for use at premises known as
at.....
for(number of) controlled machines as defined in the Act.

Objections or representations with respect to the application shall be made to the I.O.M. Gaming Board of Control, Government office, Douglas within 21 days from the (date on which notice is first published).

A copy of the application may be inspected at all reasonable hours at the offices of the Gaming Board during the said period of 21 days.

Signed:.....

APPLICATION OF SCHEDULE 1 TO AMENDMENT
OF CERTIFICATES UNDER SECTION 3

PROVISION OF
SCHEDULE 1

Modifications and exceptions subject to which provision applies to application under paragraph 2(4) of Schedule 1.

Paragraph 1

In sub-paragraph (1), after "application for" insert "amendment of"; and omit sub-sub-paragraphs (a) and (b).

In sub-paragraph (2), "for "in the prescribed form" substitute "in writing", and for sub-sub-paragraphs (c) to (j) substitute -

- "(c) the alteration of the certificate which is sought; and
- (d) if the alteration sought is to the holder of the certificate, whether, and if so when, an application for a certificate has been refused to the person sought to be substituted as such holder (stating in relation to what premises)".

In sub-paragraph (3), for the words from "the following fee" to the end substitute "a fee of £10."

Omit sub-paragraph (4).

Paragraph 2

Substitute -

"2. If the alteration sought is to the holder of a full certificate, the Gaming Board shall consult the Chief Constable".

Paragraph 3

In sub-paragraph (1), for " a full certificate shall cause a notice in the prescribed form" substitute "amendment of full certificate shall, if the alteration sought is to the holder of the certificate or to the number of controlled machines authorised to be kept in the premises, cause a notice."

In sub-paragraph (2), for sub-sub-paragraphs (a) to (d) substitute "particulars of the alteration of the certificate sought by the applicant". After "application for" insert "amendment of".

Paragraph 4

In sub-paragraph (a), for "paragraph 1(1)(a) or (b), as the case may be" substitute "paragraph 3(3)". Omit paragraph (b).

For sub-paragraphs (c) and (d) substitute -

"(c) if the alteration sought is to the holder of the certificate, that the person sought to be substituted as such holder is a fit and proper person to whom a certificate may be granted;

(d) if the alteration sought is to the designated person, that the person sought to be substituted as designated person is a fit and proper person to have actual charge of the premises;"

"(f) if the alteration sought is to the holder of the certificate and the person sought to be substituted as such holder is a body corporate, that it is incorporated in the Island, and

(g) if the alteration sought is to the holder of a full certificate and the person sought to be substituted as such holder is not a body corporate, that he has, or (if more than one) that they have all, been resident in the Island for at least 6 months.

Paragraph 5

In sub-paragraph (1), after "application for" insert "amendment of"; and for "shall afford" substitute "may afford".

In sub-paragraph (2), after "application for" insert "amendment of"; and omit sub-sub-paragraph (c).

Omit sub-paragraph (3).

Paragraph 6

After "application for" insert "amendment of"; and for the words from "shall grant" to the end, substitute "shall amend the certificate accordingly".